IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

FRIDAY, THE 7TH DECEMBER 2007 / 16TH AGRAHAYANA 1929

WP(C).No. 34490 of 2005(E)

PETITIONERS:

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1. **L.R.LAKSHMAN, IIIRD SEMESTER, ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT XXV/528, GANAPATHI, SKT COLLEGE ROAD, THRIPUNITHURA-682 301.**

2. **ANURAG PETER, IIIRD SEMESTER, ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT 7 SECTOR-III, RELIANCE, GREENS MOTI-KHANDI, JAMNAGAR, GUJARAT.**

3. **HARIKRISHNAN, IIIRD SEMESTER ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT ANJALI, HOUSE NO.VI/912 B, TEMPLE ROAD, THRIKKAKKARA.**

4. **VISHAL N., IIIRD SEMESTER ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT PERIYAMANNA VENUS AKKAT LANE THOTTAKKATTUKARA, ALWAYE-8.**

5. **AISWARYA.C, IIIRD SEMESTER, ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT ANJALAM AMARAVILA.P.O, TRIVANDRUM-695 122.**

6. **AISWARYA DILEEP, IIIRD SEMESTER ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT T.C.5/2527 (1) TKV NAGAR, GOLF LINKS, KOWDIAR.P.O, TRIVANDRUM-3.**

7. **SYAM.T.P, IIIRD SEMESTER, ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT PARAKADAVATHU HOUSE, MORAZHA.P.O, KANNUR-670 331.**

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8. **JOHN PAUL XAVIER, IIID SEMESTER ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT KALLOKARAN HOUSE, I/921/A, PADAMUGAL, KAKKANAD.**

9. **ASHA SUSAN THAMPY, IIIRD SEMESTER, ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT PARACHAYIL, MANJADI.P.O, THIRUVALLA-689 105.**

10. **KAVYA HARILAL, IIIRD SEMESTER COMPUTER SCIENCE AND ENGINEERING , RESIDING AT PANAVELIL PARAMBIL, PAZHAVEEDU.P.O, ALAPPUZHA-685 009.**

11. **RAMYA.R, IIIRD SEMESTER ELECTRONICS AND BIOMEDICAL ENGINEERING, RESIDING AT 36/2285, KRISHNA BHAVAN, AZAD ROAD, KALOOR, KOCHI.**

12. **SHONY RAJ, IIIRD SEMESTER ELECTRONICS AND BIOMEDICAL ENGINEERING, RESIDING AT CHAITHANYA EDAMON.P.O, PUNALUR.**

13. **SHARA MARY ALEX, IIIRD SEMESTER ELECTRONICS AND BIOMEDICAL ENGINEERING, RESIDING AT ALUMUTTIL HOUSE, HOUSE NO.11/1308, PADAMUGAL, KAKKANAD, KOCHI-30.**

14. **REMYA.B, IIIRD SEMESTER ELECTRONICS AND BIOMEDICAL ENGINEERING, RESIDING AT ABHIVANDANAM, HARITHANAGAR CROSS ROAD 3, THRIKKAKKARA.**

15. **SAVITHRI VARMA, IIIRD SEMESTER ELECTRONICS AND BIOMEDICAL ENGINEERING, RESIDING AT KANEESHUTHU VADAKKE MADHOM, HOSPITAL ROAD, THRIPUNITHURA.**

16. **MAYA MOHAN.K, IIIRD SEMESTER ELECTRONICS AND BIOMEDICAL ENGINEERING, RESIDING AT NIRMALYAM T.K.V.NAGAR, KALMANDAPAM, PALAKKAD-678 001.**

17. **GINU PANIKULAM, IIIRD SEMESTER ELECTRONICS AND BIOMEDICAL ENGINEERING, RESIDING NEAR BYE PASS ROAD, KOTHAMANGALAM.**

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18. **VIMAL SUKUMARAN, IIIRD SEMESTER ELECTRONICS AND BIOMEDICAL ENGINEERING, RESIDING AT GURUKRIPA, THAVAKARD, KANNUR, - 670 002.**

19. **UNNIKRISHNAN, IIIRD SEMESTER, ELECTRONICS AND BIOMEDICAL ENGINEERING, RESIDING AT SREEVALSAM V.I.P. LANE, THOTTAKKATTUKKARA.P.O, ALUVA-683 108.**

20. **KURIAN POLACHAN, IIIRD SEMESTER ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT MOOLAN HOUSE, PONEVAZHY ROAD, EDAPPALLY, KOCHI-24.**

21. **ANUP MOHAN, MOHANAM, IIIRD SEMESTER ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT 33/1870C, ADAPPILLY ROAD, VENNALA.P.O, COCHIN-28.**

22. **ARUN JOHN, IIIRD SEMESTER ELECTRONICS AND ENGINEERING, RESIDING AT MELEDOM, THEKKUMBHAGOM, THRIPPUNITHURA PIN-682 301.**

23. **ANOOP CHAND, IIIRD SEMESTER ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT ANUGRAHA, TC 51/406, VILAYIL MEKKATHIL COMPOUND, INDUSTRIAL ESTATE ROAD, PAPPANAMKODE.P.O, TRIVANDRUM-695 018.**

24. **ANUPAMA.C.H, IIIRD SEMESTER ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT ARUNIMA UNCHIYAM, VADAKARA, CALICUT-673 308.**

25. **SRIJITH.K.P, IIIRD SEMESTER ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT SOUPARNIKA, PIPELINE ROAD, CHEVARAMBALAM.P.O, CALICUT-17.**

26. **ANJALI.N, IIIRD SEMESTER ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT BHAVANA, 50/150A, EDAPPALLY, KOCHI-21.**

27. **R.VIDYA, IIIRD SEMESTER ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT 37/3656 B1, SHREYAS APARTMENTS, MUTTATHIL LANE, KADAVANTHRA, COCHIN-20.**

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28. **HRIDYA.V, IIIRD SEMESTER ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT NIG 128, GANDHINAGAR, KOCHI-20.**

29. **ASVINI.A, IIIRD SEMESTER ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT B-13, 48/1707, MAYURA BHAVAN, DESHABHIMANI ROAD, ELEMAKKARA, COCHIN-26.**

30. **ANAND.K.DAS, IIIRD SEMESTER ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT SNEHA, PERAMANGALAM, THRISSUR.**

31. **ANITHA.T.G, IIIRD SEMESTER ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT 3/1588, THIMMA ILLAM, SHANTHI NAGAR, THAIKKATTUKKARA, ALWAYE-683 106.**

32. **DIPIN VIDHYADHARAN, IIIRD SEMESTER ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT SIVAPRIYA, III/444, MUTHIRIPADAM, THAIKKATTUKKARA, ALUVA-685 106.**

33. **ARAVIND N.G, IIIRD SEMESTER ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT GEETHANJALI HOUSE, NEAR P & T QUARTERS VIDYANAGAR.P.O, KASARAGOD.**

34. **SHABIN.P, IIIRD SEMESTER ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT SURABHI, THAVALAPPARA.P.O, PARASSINIKADAVU, KANNUR DISTRICT, KERALA.**

35. **SANDEEP.S, IIIRD SEMESTER COMPUTER SCIENCE AND ENGINEERING, RESIDING AT BLOCK II A3, V B ROYAL APARTMENTS, EDAPPALLY, ERNAKULAM-26.**

36. **SREELAKSHMI.G, IIIRD SEMESTER COMPUTER SCIENCE AND ENGINEERING, RESIDING AT SREERANGAM, VAIKAPRAYAR.P.O, VAIKOM.**

37. **TUNE MARY JAMES, IIIRD SEMESTER COMPUTER SCIENCE AND ENGINEERING, RESIDING AT KANIYAMPARAMBIL HOUSE, PALATHINGAL LANE, POONITHURA.P.O, PIN-682 038.**

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38. NIRMAL UNNIKRISHNAN, IIIRD SEMESTER COMPUTER SCIENCE AND ENGINEERING, RESIDING AT 11/259, SURESH BHAVAN, NORTH PARAVUR, ERNAKULAM-683 513.

39. KURIAN CHERAMEL, IIIRD SEMESTER COMPUTER SCIENCE AND ENGINEERING, RESIDING AT CHERAMEL HOUSE, KAVICODE, MULANTHURUTHY-682 314.

40. PRIYANKA.T, IIIRD SEMESTER COMPUTER SCIENCE AND ENGINEERING, RESIDING AT GEETHANJALI, AROLI.P.O, PAPPINISERI, KANNUR-670 566.

41. ANIRUDH, IIIRD SEMESTER COMPUTER SCIENCE AND ENGINEERING, RESIDING AT 28/250, "INDRAPRASTHA", KUNNUMEL ROAD, VADUTHALA, KOCHI-23.

42. RAMKUMAR, IIIRD SEMESTER COMPUTER SCIENCE & ENGINEERING, RESIDING AT 28/3357 A, CHERUPUSHPAM LANE, NO.2, KADAVANTHRA, KOCHI-20.

43. ROSHNI.J, IIIRD SEMESTER COMPUTER SCIENCE AND ENGINEERING, RESIDING AT 35/304, THANNICKAL WEST LANE, ELAMAKKARA, KOCHI-26.

44. DHANYA.V, IIIRD SEMESTER ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT SIVAPRIYA, III/444, MUTHIRIPADAM, THAIKKATTUKKARA, ALUVA-683 106.

45. DEEPAK CHEEROTHY, IIIRD SEMESTER ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT CHEROTHY HOUSE, MAIN ROAD, NORTH CHALAKUDY, PIN-680 307.

46. AHFFAN.K, MOHAMMED ALI, IIIRD SEMESTER, ELECTRONICS AND COMMUNICATION ENGINEERING, RESIDING AT KONDETH HOUSE, THIRURKAD.P.O, MALAPPURAM-679 351.

BY ADV. SRI.R.RAMADAS.

W.P.(C). NO.34490/2005:

RESPONDENTS:
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1. **STATE OF KERALA,**
   REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT,
   SECRETARIAT,
   THIRUVANANTHAPURAM.

2. **THE PRINCIPAL SECRETARY TO GOVERNMENT,**
   HIGHER EDUCATION DEPARTMENT,
   GOVERNMENT OF KERALA,
   SECRETARIAT, THIRUVANANTHAPURAM.

3. **THE INSTITUTE OF HUMAN RESOURCES**
   DEVELOPMENT (IHRD), VAZHUTHACAUD,
   THIRUVANANTHAPURAM.

4. **THE PRINCIPAL,**
   MODEL ENGINEERING COLLEGE,
   THRIKKAKKARA, ERNAKULAM.

BY GOVERNMENT PLEADER SRI. R. LAKSHMI NARAYAN,
ADV. SRI.N.N.SUGUNAPALAN,
ADV. SRI.S.SUJIN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.34490/2005-E:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE FEE RECEIPT DTD. 03/09/2004 BY THE P.29.

EXT.P.2: COPY OF THE FEE RECEIPT DTD. 24/09/2004 BY THE P.29.

EXT.P.3: COPY OF THE FEE RECEIPT DTD. 18/07/2005 BY THE P.29.

EXT.P.4: COPY OF THE RELEVANT PORTION OF THE GOVERNMENT ANNOUNCEMENT MADE THROUGH THE WEBSITE.

EXT.P.5: COPY OF THE NOTICE DTD. 20/06/2005 BY THE R.4.

EXT.P.6: COPY OF THE ADVERTISEMENT IN MALAYALA MANORAMA DAILY DTD. 04/07/2005.

RESPONDENT'S EXHIBITS:

EXT.R2.A: COPY OF THE G.O. NO. 116/04/H. EDN. DT. 15/09/04.

EXT.R2.B: COPY OF THE G.O. (MS). NO. 718/03/H. EDN. DT. 26/05/03.

EXT.R2.C: COPY OF THE G.O. (MS). NO. 869/03/H. EDN. DT. 19/06/2003.

//TRUE COPY//

prv.

K.BALAKRISHNAN NAIR, J.

W.P.(C) NO. 34490 OF 2005-E

JUDGMENT

The petitioners are students, who were admitted to the Model Engineering College, Thrikkakara, managed by the Institute of Human Resources Development (IHRD) for the academic year 2004-05. They were admitted in the Government quota. Alleging that the fee collected from them is not at the rate applicable to be students in the Government colleges, but in other self financing colleges, this writ petition was filed.

2. The 2nd respondent has filed a counter affidavit and along with that Government order dated 15.09.2004 is produced as Ext.R2(a). As per that order the fee structure for the self financing Engineering colleges run by the IHRD and L.B.S Centre for Science and Technology etc., for the academic year 2004-05 has been fixed as Rs.38,700/-. The said fixation is made in tune with the decision of Justice K.T.Thomas Committee. The petitioners have not filed any reply affidavit disputing the above claim.

3. Going by Ext.R2(a), the fee collected from the petitioners cannot

be said to be illegal or unauthorised. In the result, the writ petition fails and it is dismissed.

7th December, 2007. **K.BALAKRISHNAN NAIR, JUDGE.**

Nm/